

Bond Case Briefs

Municipal Finance Law Since 1971

PUBLIC UTILITIES - RHODE ISLAND

Warfel v. Town of New Shoreham

Supreme Court of Rhode Island - March 2, 2018 - A.3d - 2018 WL 1124158

Residents, taxpayers, and power company ratepayers brought action against town, seeking to enjoin the closing of town's purchase of majority share of stock in power company.

The Superior Court granted town's motion to dismiss. Residents, taxpayers, and ratepayers appealed.

The Supreme Court of Rhode Island held that residents, taxpayers, and ratepayers lacked standing to seek review of town's decision to purchase majority share of stock in power company.

Residents, taxpayers, and power company ratepayers did not suffer particularized injury, and thus lacked standing to seek review of town's decision to purchase majority share of stock in power company; residents, taxpayers, and ratepayers vaguely asserted that they could be held responsible for costs of any contamination remediation, which gave town's purchase only the potential to be extraordinarily harmful to residents, taxpayers, and ratepayers.